

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Fabian Navarro,

Plaintiff,

v.

The Traf Group, Inc.
dba Credit America
c/o Corporate Creations Network
350 S. Northwest Highway, Suite 300
Park Ridge, IL 60068,

Defendant.

Case No.

COMPLAINT

Jury Demand Requested

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiff is a resident of the State of Illinois.
- 4- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 5- Defendant is a corporation with its principal place of business in the State of New Jersey.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

- 9- On or around September 3, 2014, Plaintiff filed a voluntary bankruptcy petition that included the Debt.
- 10- Despite the bankruptcy, on or around October 22, 2014, Defendant mailed a letter to Plaintiff to collect the Debt.
- 11- At the time of this communication, Defendant knew, or should have known, about Plaintiff's bankruptcy filing.
- 12- Defendant damaged Plaintiff.
- 13- Defendant violated the FDCPA.

COUNT I

- 14- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 15- Defendant violated 15 USC § 1692e(2) by sending Plaintiff a collection letter that sought to collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy, thereby misrepresenting the legal status of the debt

COUNT II

- 16- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 17- Defendant violated 15 USC § 1692e(10) by falsely representing to Plaintiff that it could collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy.

COUNT III

- 18- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 19- Defendant violated 15 USC § 1692f by unfairly and unconscionably trying to collect a debt that Defendant knew, or should have known, was included in Plaintiff's bankruptcy.

COUNT IV

20- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

21- Defendant violated 15 USC § 1692c(a)(2) by communicating with a consumer after

Defendant knew, or should have known, that Plaintiff was represented by an attorney regarding the debt.

JURY DEMAND

22- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

23- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

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